

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

**Soverain Software, LLC
Plaintiff**

vs.

**CDW Corporation,
Newegg Inc.,
Systemax, Inc.,
Tiger Direct Inc., and
Zappos.com, Inc.
Defendants**

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Civil Action No. 6:07-cv-511 (LED)

Jury Trial Demanded

Defendant Newegg, Inc.'s Unopposed Motion to Amend the Docket Control Order

Defendant, Newegg Inc. ("Newegg"), moves the Court to amend the First Amended Docket Control Order (Doc. No. 124) for the limited purpose of extending the discovery deadline and respectfully shows:

1. The current deadline for the parties to complete their discovery is September 4, 2009. Newegg seeks an extension of that deadline until September 10, 2009 in order to depose the Plaintiff's infringement expert on September 10, 2009. This request is made necessary due to scheduling conflicts with which Newegg's counsel is confronted. As set forth in the caption above, this motion is unopposed.

2. This motion is submitted in good faith and not for the purpose of delay. The requested extension will not affect the trial date or other pre-trial deadlines and is necessary in order for the parties to properly comply with their pre-trial responsibilities in an orderly fashion.

Wherefore, Defendant, Newegg Inc., respectfully moves for an extension of time regarding the foregoing deadline.

Dated: August 24, 2009

Respectfully submitted,

/s/ Trey Yarbrough
Trey Yarbrough
Bar No. 22133500
YARBROUGH ♦ WILCOX, PLLC
100 E. Ferguson St., Ste. 1015
Tyler, TX 75702
Phone: (903) 595-3111
Fax: (903) 595-0191
trey@yw-lawfirm.com

Kent E. Baldauf, Jr.
David C. Hanson
John W. McIlvaine, III
THE WEBB LAW FIRM
700 Koppers Building
436 Seventh Avenue
Pittsburg, PA 15219
(412) 471-8815
(412) 471-4094 - Fax

Attorneys for Defendant, Newegg Inc.

Certificate of Service

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on August 24, 2009. All other counsel of record will be served via facsimile or first class mail.

/s/ Trey Yarbrough
Trey Yarbrough